

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of American,

Plaintiff,

vs.

David Allen Harbour,

Defendant.

Case No. 2:19-cr-00898-DLR (DMF)

ORDER

Upon application of Defendant and for good cause shown therein:

IT IS ORDERED that:

PAIF, LJP Consulting LLC, and Phillip N. Burgess (“Witnesses”) shall within 72 hours of the issuance of this Order simultaneously provide to the Parties the following documents in each Witnesses’ possession and identified in Exhibit A to each subpoena previously served on each Witness:

1. Green Circle’s accounting ledgers, quick books, bank statements, signature cards, checks and wire transfers for the time frame of June 2015 through the end of August 2015.
2. Green Circle’s financial statements, including profit and loss statements, balance sheets and income statements for the time frame of June 2015 through the end of August 2017.

3. The items requested in this category are covered by the preceding categories.
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5. PAIF's financial statements for the time frame of June 2015 through July 2017.
6. Contemporaneous electronic, written or otherwise recorded communications between Alonzo Primus, Green Circle Officers, Mr. Burgess and Robert Farrell relating to the borrowing base calculation and the \$1.1 million transfer.

Notwithstanding the mandatory requirements set-forth above, it shall be deemed sufficient compliance with this Order for the Witnesses, each and all, to provide a Declaration sworn under the penalties of perjury that avers that there is not now, nor has there ever been a borrowing base calculation between Green Circle or Oak Tree and the Witness or any entity associated with any Witness that purported to support the \$1.1 million transfer that occurred on or about August 11, 2015, as alleged in the superseding Indictment, Dkt. No. 154.

In the event that the Witnesses fail to comply with the terms of this Order within 72 hours of its issuance, the Witnesses are, each and all, ordered to show good cause, if any they have, as to why they should not be held in contempt of Court and why they should not face the imposition of coercive sanctions as a result of their defiance of the Court's Order.

Any pleading seeking to show why the Witnesses should not be held in contempt of Court must be filed by _____, 2022.

The Honorable Douglas L. Rayes